

DEW

RECEIVED
JUL 14 2003
Department of Water Resources
Eastern Region

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
13-219	100 qg.?				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)
Blaine Gamble
Marcella Gamble
Rt 2 Box 705 Preston, ID.

4. New Owner/Claimant(s)
Wheatley Properties LLC
Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address
1598 E. 3200 S.

City, State and ZIP Code
Preston, ID 83263

New Telephone Number
(208) 646-2516 Email:

Beth Wheatley

5. Date you acquired the property

11-28-1990.

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Leth Wheatley, Beth Wheatley
 (title if applicable)
Bert W. Wheatley, Laura Wheatley
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by DMML
 Received by DMML
 Processed by AJ

Date 7/20/09
 Date 7/20/09
 Date

Receipt Amt. \$175
 Receipt No. E035223
 WR Date

182772 1-3

12:35
a.m. 1990 3 1990 12:35 p.m.

LERAE E. JOHNSON, RECORDER

TRUSTEE'S DEED

By Y. Shepherd Deputy
FRANKLIN COUNTY, IDAHO

THIS DEED made this 28th day of November, 1990, between BLAINE J. GAMBLE and MARCELLA M. GAMBLE, as Trustees of the BLAINE J. GAMBLE FAMILY TRUST hereinafter called "Grantor" and BERT WALKER WHEATLEY and LAURA WHEATLEY, husband and wife, SETH THOMAS WHEATLEY and BETH WHEATLEY, husband and wife, hereinafter called "Grantee".

WHEREAS, BLAINE J. GAMBLE and MARCELLA M. GAMBLE are the duly appointed and acting Trustees of the BLAINE J. GAMBLE FAMILY TRUST dated the 18th day of March, 1990, by and between BLAINE J. GAMBLE and MARCELLA M. GAMBLE, as Grantors and BLAINE J. GAMBLE and MARCELLA M. GAMBLE, as Trustee.

NOW, THEREFORE, WITNESSETH, that the said Grantor, for valuable consideration, and for the purpose of distributing certain real property from the BLAINE J. GAMBLE FAMILY TRUST, do by these presents hereby distribute, bargain, sell, convey, and confirm unto the said Grantees, and their heirs and assigns forever, all the Grantor's right, title and interest in that certain parcel of land, situate, lying and being in Franklin County, State of Idaho, and more particularly described in Exhibit "A" attached hereto, with BERT WALKER WHEATLEY and LAURA WHEATELY to receive an undivided one-half ($\frac{1}{2}$) interest and SETH THOMAS WHEATLEY and BETH WHEATLEY to receive an undivided one-half ($\frac{1}{2}$) interest to the premises.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular the said premises together with the appurtenances unto the Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

BLAINE J. GAMBLE FAMILY TRUST

By: Blaine J. Gamble
BLAINE J. GAMBLE, Trustee

By: Marcella M. Gamble
MARCELLA M. GAMBLE, Trustee

STATE OF IDAHO

County of Franklin

On this 28th day of November, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE J. GAMBLE and MARCELLA M. GAMBLE, known or identified to me to be the person whose names are subscribed to the within instrument as Trustees of the BLAINE J. GAMBLE FAMILY TRUST and acknowledged to me that they executed the same as Trustees of the BLAINE J. GAMBLE FAMILY TRUST.


Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Expires: 2/19/93

Exhibit "A"

13-219

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 13: The East half of the Southeast quarter and the Southeast quarter of the Northeast quarter of Section 13, Township 16 South, Range 39 East of the Boise Meridian, reserving a right-of-way over the following described tract of land, to-wit:

Commencing at a point 61 rods $3\frac{1}{2}$ feet West of th Northeast corner of Lot 1, Section 18, Township 16 South, Range 40 East of the Boise Meridian, and running thence South 80 rods; thence West 19 rods; thence South 20 feet; thence East 20 rods $4\frac{1}{2}$ feet; thence North 81 rods $3\frac{1}{2}$ feet; thence West 20 feet to the place of beginning.

ALSO, conveying with the above described land an undivided $\frac{4}{14}$ ths interest in and to what is known as Kirby's Pond or Reservoir, together with all proportionate rights therein.

TOGETHER WITH three shares of Cub River Irrigation Water Stock together with any ditch right Grantor may have to convey or transport up to eight shares of said water to the above premises.

When Recorded Mail To:
Hallock & Hallock, a Professional Corporation
P.O. Box 4171
Logan, Utah 84323-4171

228928 1-2

Recorded at the request of

Seth Wheatley

____ a.m. FEB 10 2005 p.m. 1:05

V. ELLIOTT LARSEN, RECORDER
By Ruth K. Rawlings Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

Grantors, Bert Walker Wheatley and Laura Wheatley, husband and wife, of 1534 East 3200 South, Preston, Franklin County, Idaho, and Seth Thomas Wheatley and Beth Wheatley, husband and wife, of 1598 East 3200 South, Preston, Franklin County, Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Wheatley Properties, L.L.C. of 1598 East 3200 South, Preston, Franklin County, Idaho, as Grantee, and to Grantee's successors and assigns forever, all of the following described real property located in Franklin County, Idaho, to wit:

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 13: The East half of the Southeast quarter and the Southeast quarter of the Northeast quarter of Section 13, Township 16 South, Range 39 East of the Boise Meridian, reserving a right-of-way over the following described tract of land, to-wit:

Commencing at a point 61 rods 3½ feet West of the Northeast corner of Lot 1, Section 18, Township 16 South, Range 40 East of the Boise Meridian, and running thence South 80 rods; thence West 19 rods; thence South 20 feet; thence East 20 rods 4½ feet; thence North 81 rods 3½ feet; thence West 20 feet to the place of beginning.

ALSO, conveying with the above described land an undivided 4/14ths interest in and to what is known as Kirby's Pond or Reservoir, together with all proportionate rights therein.

TOGETHER WITH three shares of Cub River Irrigation Water Stock together with any ditch right Grantor may have to convey or transport up to eight shares of said water to the above premises.

Together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to such rights, easements, covenants, restrictions, and zoning regulations as appear of record.

In witness whereof, Grantors have hereunto subscribed their names to this instrument this 10 day of

February 2005.

Bert Walker Wheatley
Bert Walker Wheatley

Laura Wheatley
Laura Wheatley

Seth Thomas Wheatley
Seth Thomas Wheatley

Beth Wheatley
Beth Wheatley

STATE OF IDAHO)

: ss

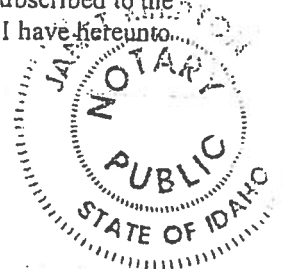
County of Franklin)

On this 10th day of February 2005, before me the undersigned, a Notary Public for Idaho, personally appeared Bert Walker Wheatley, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first written above.

3-30-2006
My Commission expires

Janet Kimpton
Notary Public

Residing at: Preston, Id.



STATE OF IDAHO)

: ss

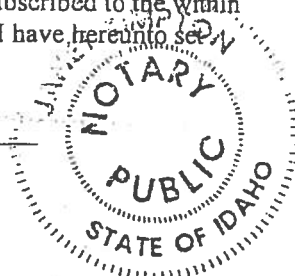
County of Franklin)

On this 10th day of February 2005, before me the undersigned, a Notary Public for Idaho, personally appeared Laura Wheatley, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first written above.

3-30-2006
My Commission expires

Janet Kimpton
Notary Public

Residing at: Preston, Id.



STATE OF IDAHO)

: ss

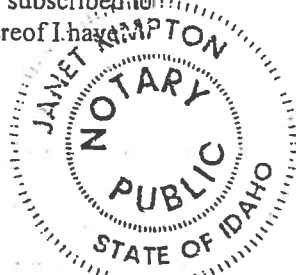
County of Franklin)

On this 10th day of February 2005, before me the undersigned, a Notary Public for Idaho, personally appeared Seth Thomas Wheatley, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first written above.

3-30-2006
My Commission expires

Janet Kimpton
Notary Public

Residing at: Preston, Id.



STATE OF IDAHO)

: ss

County of Franklin)

On this 10th day of February 2005, before me the undersigned, a Notary Public for Idaho, personally appeared Beth Wheatley, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first written above.

3-30-2006
My Commission expires

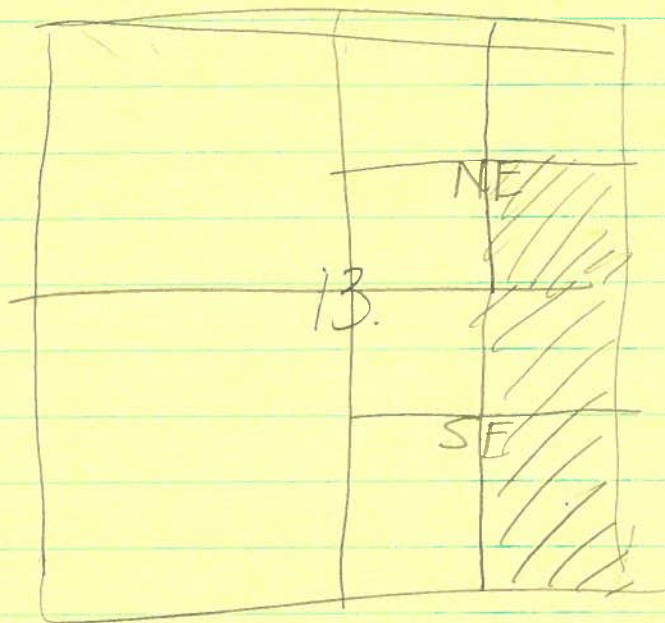
Janet Kimpton
Notary Public

Residing at: Preston, Id.



Wheat rip

T16S. R39E Sec 13



13-219

Close

6/29/2009

WATER RIGHT NO. 13-219

Owner Type	Name and Address
Current Owner	BLAINE GAMBLE
Current Owner	MARCELLA GAMBLE RT 2 BOX 705 PRESTON, ID 83263

Status: Active

Source	Tributary
UNNAMED STREAMS	WORM CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	2.22 CFS	389 AFA
Total Diversion			2.22 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAMS	SWSW Lt 4	Sec. 07	Township 16S	Range 40E	FRANKLIN County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION FRANKLIN County

[illegible]

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
16S	39E	13		SENE	37									
				NESE	35		SESE	39						

Total Acres: 111

Dates:

Licensed Date:

Decreed Date: 05/21/1981

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

H14
 New
 Township No. 1
 1935-66 43510-02
 12

Bert W. Shedd Day
198567 #351081

7 12

~~SECRET~~

13 18

7 206.4

Wheatley Properties, LLC
38.2 A-1
220582 #3510
028997

T-7
Randa 11 Hobbs
1214409
#3519
64.36 Ac.

E-1

198363
261104
214409
238240
238713



#3517
Larvel Co. Hobbs
154171
144274

40.05A